THE HYDERABAD ABOLITION OF INAMS ACT, 1955.

No. VIII of 1955.

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THE HYDERABAD ABOLITION OF INAMS ACT, 1955.

No. VIII of 1955.

(Received the assent of the President on the 16th July, 1955; assent first published in the Hyderabad Gazette Extraordinary No. 90 on the 20th July, 1955).

An Act to abolish Inams in the Hyderabad State.

Preamble.

WHEREAS it is expedient in public interest to provide for the abolition of inams, with certain exceptions, in the Hyderabad State and for other matters connected therewith;

BE it enacted in the Fifth Year of Our Republic as follows :—

CHAPTER I.

Preliminary.

Short title, extent and commencement.

1. (1) This Act may be called the Hyderabad Abolition of Inams Act, 1954.

(2) It extends to the whole of the Hyderabad State and shall be applicable to all inams except—

(i) inams held by or for the benefit of charitable and religious institutions ;

(ii) inams held for rendering village service useful to the Government or to the village community including sethsendhi, neeradi and balutha inams.

*(3) (a) This section, section 2, section 3 except clauses (d), (g), (h) and (i) of sub-section (2), sections 30 to 34 (both inclusive), section 35 to the extent to which it enables rules to be made for the purposes of the aforesaid sections, section 36 and section 37, shall come into force on the date of publication of this Act in the official Gazette;

(b) the rest of this Act shall come into force on such date as the Government may, by notification in the official Gazette, appoint in this behalf.

Definitions.

2. (1) In this Act, unless there is anything repugnant in the subject or context—

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* Substituted by Act No. X of 1956 published in Gazette Extraordinary No. (79) dated 20th April, 1956.

(For temporary provision for recovery of land revenue see the above Gazette).

(a) 'Collector' means the Collector of a district and includes any other officer, not below the rank of a Deputy Collector, who may be authorised by the Government by notification in the official Gazette to discharge the functions of a Collector under this Act;

*(b) the expression 'date of vesting' when used—

(i) in sub-section (1), sub-section (2) with reference to clauses (a), (b), (c), (e), and (f), and sub-section (3) of section 3 and in section 34, means the date of publication of this Act in the official Gazette ;

(ii) elsewhere in this Act means the date appointed by th Government under clause (b) of sub-section (3) of section 1 ;

(c) 'inam' means land held under a gift or a grant made by the Nizam or by any Jagirdar, holder of a Samsthan or other competent grantor and continued or confirmed by virtue of a muntakhab or other title deed, with or without the condition of service and coupled with the remission of the whole or part of the land revenue thereon and entered as such in the village records and includes—

(i) arazi makhta, arazi agrahar and seri inam; and

(ii) lands held as inam by virtue of long possession and entered as inam in the village records :

Provided that in respect of former Jagir areas, the expression inam shall not include such lands as have not been recognised as inams by Government after the abolition of the Jagirs.

(d) 'inamdar' means a person holding an inam or a share therein, either for his own benefit or in trust and includes the successor in interest of an inamdar, and—

(i) where an inamdar is a minor or of unsound mind or an idiot, his lawful guardian;

(ii) where an inamdar is a joint Hindu family, such joint Hindu family;

(e) 'kabiz-e-kadim' means the holder of inam land, other than an inamdar, who has been in possession of such land at the time of the grant of inam or has been in continuous possession of such land for not less than twelve years before the date of vesting and who pays the inamdar only the land revenue;

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* Substituted by Act No. X of 1956 published in Gazette Extraordinary No. (79) dated 20th April, 1956.

(For temporary provision for recovery of land revenue see the above Gazette).

(f) 'land revenue' means the land revenue assessed by the Government under the Land Revenue Act, 1317 Fasli and the rules thereunder, and where no land revenue has been assessed, the amount of land revenue that could be reasonably assessed if the land had been liable to payment of revenue :

(g)' non-protected' tenant means a tenant other than a permanent tenant or a 'protected tenant'.;

(h) 'permanent tenant' means a person who, from a date prior to 10th June, 1950, has been cultivating the inam land on a permanent lease from the inamdar whether under an instrument or an oral agreement ;

(i) 'prescribed' means prescribed by rules made under this Act ;

(j) 'protected tenant' means the protected tenant as defined in the Hyderabad Tenancy and Agricultural Lands Act, 1950 ;

(k) 'Special Tribunal' means a Special Tribunal constituted under section 22 of this Act ;

(l) 'Judi' or 'quit-rent' means the amount fixed by and payable to Government by the Inamdar out of the land revenue assessed, on inam land.

(2) Words and expressions used in this Act but not defined therein shall have the meaning assigned to them in the Land Revenue Act, 1317, Fasli, the Hyderabad Tenancy and Agricultural Lands Act, 1950, and the Hyderabad Atiyat Enquiries Act, 1952 and the rules thereunder.

CHAPTER II.

Abolition and vesting of inams and the consequences thereof.

Abolition and vesting of inams and the consequences thereof.

3. (1) Notwithstanding anything to the contrary contained in any usage, settlement, contract, grant, sanad, order or other instrument, Act, regulation, rules or order having the force of law and notwithstanding any judgment, decree or order of a Civil, Revenue or Atiyat Court, and with effect from the date of vesting, all inams to which this Act is made applicable under sub-section (2) of section 1 of this Act shall be deemed to have been abolished and shall vest in the State.

(2) Save as expressly provided by or under the provisions of this Act and with effect from the date of vesting, the following consequences shall ensue, namely :

(a) the provisions of the Land Revenue Act, 1317 Fasli relating to inams, and the provisions of the Hyderabad Atiyat Enquiries Act, 1952 and other enactments,

rules, regulations and circulars in force in respect of Atiyat grants shall, to the extent, they are repugnant, to the provisions of this Act, not apply and the provisions of the Land Revenue Act, 1317 Fasli, relating to unalienated lands for purposes of land revenue, shall apply to the said inams;

(b) all rights, title and interest vesting in the inamdar, kabiz-e-kadim, permanent tenant, protected tenant and non-protected tenant in respect of the inam land, other than the interests expressly saved by or under provisions of this Act and including those in all communal lands, cultivated and uncultivated lands (whether assessed or not), waste lands, pasture lands, forests, mines and minerals, quarries, rivers and streams, tanks and irrigation works, fisheries and ferries, shall cease and be vested absolutely in the State free from all encumberances;

(b) all such inam lands shall be liable to payment of land revenue;

(d) all rents and land revenue including cesses and royalties, accruing in respect of such inam lands, on or after the date of vesting, shall be payable to the State and not to the inamdar, and any payment made in contravention of this clause shall not be valid;

(e) all arrears of revenue, whether as judi, quit-rent or other cess, remaining lawfully due on the date of vesting in respect of any such inam shall, after such date, continue to be recoverable from the inamdar by whom they were payable and may, without prejudice to any other mode of recovery be realised by deduction thereof from the compensation amount payable to him under this Act;

(f) no such inam shall be liable to attachment or sale in execution of any decree or other process of any Court and any attachment existing on the date of vesting or any order for attachment passed before such date in respect of such inam, shall, subject to the provisions of section 73 of the Transfer of Property Act, 1882, cease to be in force;

(g) the inamdar and any other person whose rights have vested in the State under clause (b) shall be entitled only to compensation from the Govrnment as provided for in this Act;

(h) the relationship with regard to inam land as between the inamdar and kabiz-e-kadim, permanent tenant, protected tenant or non-protected tenant shall be extinguished;

(i) the inamdar, kabiz-e-kadim, permanent tenant, protected tenant, and a non-protected tenant of inam lands and any person holding under them and a holder of an inam, shall as against the Government, be entitled only to such rights and privileges and be subject to such conditions as are provided for under this Act and any other rights and privileges which may have accrued to any of them in the inam before the date of vesting against the inamdar shall cease and shall not be enforceable against the Government or the inamdar.

(3) Nothing contained in sub-sections (1) and (2) shall operate as a bar to the recovery by the inamdar of any sum which becomes due to him before the date of vesting by virtue of his rights as inamdar and any such sum shall be recoverable by him by any process of law, which, but for this Act, would be available to him.

Registration of Inamdars as occupants.

4. (1) Every inamdar shall, with effect from the date of vesting, be entitled to be registered as an occupant of all inam lands other than—

(a) lands set apart for the village community, grazing lands; waste lands, forest lands, mines and quarries; tanks, tank beds and irrigation works, streams and rivers;

(b) lands in respect of which any person is entitled to be registered under sections 5, 6, 7, and 8 of the Act;

(c) lands upon which have been erected buildings owned by any person other than the inamdar;

—which immediately before the date of vesting, were under his personal cultivation and which, together with any lands he separately owns and cultivates personally are equal to four and a half times the 'family holding'.

(2) No Inamdar shall be registered as an occupant of any land under sub-section (1) unless he pays to the Government as premium an amount equal to twenty-five times the difference between the judi or quit-rent, if any, paid by him and the land revenue payable in respect of such land. The amount of premium shall be payable in not more than ten annual instalments along with the annual land revenue and in default of such payment, shall be recoverable as arrears of land revenue due on the land in respect of which it is payable.

(3) The inamdar shall be entitled to compensation from the Government as provided for under this Act in respect of inam lands in his possession in excess of the

time limit specified in sub-section (1) whether cultivated or not.

(4) Should the lands for the purpose of registration of inamdar as occupant be required to be resumed to make up the deficiency to the extent of 3 family holdings, the same shall be resumed under the provisions of the Hyderabad Tenancy and Agricultural Lands Act, 1950 in the following order—

(i) firstly from out of non-inam lands;

(ii) secondly from out of uncultivated inam lands other than those specified in clauses (a) and (c) of sub-section (1); and;

(iii) thirdly from out of the inam lands in the possession of his tenants and without prejudice to their tenancy rights in the following order—

(a) from out of the lands of the non-protected tenants;

(b) from out of the lands of the protected tenants; and

(c) from out of the lands of the permanent tenants.

Registration of kabiz-e-kadim as occupant.

5. (1) Every kabiz-e-kadim shall, with effect from the date of vesting, be entitled to be registered as an occupant in respect of such inam lands in his possession which were under his personal cultivation and which, together with any lands he separately owns and cultivates personally are equal to four and a half times the 'family holding'.

(2) The kabiz-e-kadim shall be entitled to compensation from the Government as provided for under this Act in respect of Inam lands, in his possession in excess of the limit specified in sub-section (1) whether cultivated or not.

Registration of permanent tenants as occupants.

6. (1) Every permanent tenant shall, with effect from the date of vesting, be entitled to be registered as an occupant in respect of such inam lands in his possession as may be left over after the allotment under section 4, which immediately before the date of vesting were under his personal cultivation and which, together with any lands he separately owns and cultivates personally, are equal to four and a half times the 'family holding'.

(2) The permanent tenant shall be entitled to compensation from the Government as provided for under this Act in respect of inam lands in his possession in excess of

the limit in sub-section (1) whether cultivated or not.

(3) No permanent tenant shall be registered as an occupant of any land under sub-section (1) unless he pays to the Government as premium an amount equal to twenty-five times the land revenue for dry land and nine times for wet land. The amount of premium shall be payable in not more than ten annual instalments along with the annual land revenue and in default of such payment, shall be recoverable as arrears of land revenue due on the land in respect of which it is payable.

Registration of protected tenants as occupants.

7. (1) Every protected tenant shall, with effect from the date of vesting, be entitled to be registered as an occupant of such inam lands in his possession as may be left over after the allotment under section 4, which were under his personal cultivation and which, together with any lands he separately owns and cultivates personally, are equal to four and a half times the 'family holding'.

(2) The protected tenant shall be entitled to compensation from the Government as provided for under this Act in respect of inam lands in his possession in excess of the limit specified in sub-section (1) whether cultivated or not;

Provided that—

(a) he continued to be a tenant of such inam lands until the date of vesting; or

(b) if he is not in possession, he has been unlawfully dipossessed of such lands by the inamdar between the 10th of June, 1950 and the date of vesting.

(3) No protected tenant shall be entitled to be registered as an occupant under sub-section (1) unless he pays to the Government as premium an amount equal to forty times the land revenue for dry land and thirteen times for wet land. The amount of premium shall be payable in not more than ten annual instalments along with the annual land revenue and in default of such payment shall be recoverable as arrears of land revenue due on the land in respect of which it is payable.

Registration of non-protected tenant as occupant.

8. (1) Every non-protected tenant, shall, with effect from the date of vesting subject to section 37 of the Hyderabad Tenancy and Agricultural Lands Act, 1950 be entitled to be registered as an occupant of such inam lands in his possession as may be left over after the allotment under section 4 which, immediately before the date of vesting, were under his personal cultivation and which,

together with any lands he separately owns and cultivates personally, are equal to four and a half times the 'family holding.'

(2) The non-protected tenant shall be entitled to compensation from the Government, as provided for under this Act in respect of inam lands in his possession in excess of the limit prescribed in sub-section (1) whether cultivated or not.

(3) No non-protected tenant shall be registered as an occupant of any land under sub-section (1) unless he pays to the Government as premium an amount equal to sixty times the land revenue for dry land and twenty times for wet land. The amount of premium shall be payable in not more than ten annual instalments along with the annual land revenue and in default of such payment, shall be recoverable as arrears of land revenue due on the land in respect of which it is payable.

Vesting of certain buildings and inam lands used for non-agricultural purposes.

9. (1) Every private building, situated within an inam shall, with effect from the date of vesting, vest in the person who owned it immediately before that date.

(2) Where an inam land has been converted for any purpose unconnected with agriculture, the holder of such land shall be entitled to keep the land provided that such conversion was not void or illegal under any law in force.

(3) The vestings of private buildings or lands under sub-section (1) or (2) shall be subject to the payment of non-agricultural assessment that may be imposed by Government from time to time.

Enquiry by Collector in certain cases.

10. The Collector shall examine the nature and history of all lands in respect of which an inamdar, Kabiz-e-kadim, permanent tenant, protected tenant or non-protected tenant, claims to be registered as an occupant under sections 4, 5, 6, 7 and 8, as the case may be, and decide—

(a) In whose favour, and in respect of which inam lands, the claims should be allowed;

(b) the land revenue and the premium payable in respect of such lands.

Saving of rights in certain cases.

11. (1) Where before the date of vesting, an inamdar has created, either by way of lease or otherwise, any right in any inam land which vests in the State other than the lands specified in clauses (a) and (c) of sub-section (1) of section 4, including rights in any forest, mines or minerals, quarries, fisheries or ferries, the transaction shall be

deemed to be valid and all rights and obligations arising thereunder, on or after the date of vesting, shall be enforceable by or against the Government :

Provided that the transaction was not void or illegal under any law in force :

Provided further that where such right was created in any lands, other than the lands specified in clauses (a) to (c) of sub-section (1) of section 4 the Government may, if in their opinion, it is in the public interest to do so, by notice given to the person concerned, terminate the right with effect from such date as may be specified in the notice, not being earlier than three months from the date thereof.

(2) The person whose right has been terminated by the Government under the foregoing proviso shall be entitled to compensation from the Government equal to the estimated net income which would have accrued to such person from the land for the unexpired portion of the period for which the right was created, having regard to all the circumstances of the case.

CHAPTER III.

Determination, Apportionment and Payment of Compensation

12. The compensation payable to the inamdar for the inams abolished under section 3 shall be the aggregate of the sums specified below:— Determination of compensation payable to the inamdar.

(i) in respect of inam lands registered in the name of the inamdar and kabiz-e-kadim under sections 4 and 5, a sum equal to twenty times the difference between land revenue and judi or quit-rent ;

(ii) in respect of income accruing to the inamdar from the lands registered in the names of his permanent tenant, protected tenant and non-protected tenant a sum equal to sixty percent of the premium charged as the case may be, under sections 6, 7 and 8.

13. Notwithstanding anything contained in this Act, or any other law for the time being in force, if any, permanent tenant, protected tenant or non-protected tenant has, prior to the date of vesting, paid any consideration to the inamdar for obtaining the right of possession and the said amount is equal to 60 per cent or more of the premium chargeable under sections 6, 7 and 8, he would be

entitled to the deduction only to the extent of 60 per cent and if the said amount is less than 60 per cent of the premium he would be entitled to deduction to the extent of the amount actually paid by him. The amount so deducted from the premium shall be adjusted towards the compensation payable to the Inamdar under clause (ii) of section 12.

Determination of compensation in respect of excess lands taken over under sections 4 to 8.

14. The compensation payable to the inamdar, kabiz-e-kadim, permanent, protected tenant or non-protected tenant for Inam lands in their possession before the date of vesting and taken over by Government in excess of four and a half times the 'family holding' under sections 4, 5, 6, 7 and 8 respectively, shall—

(1) in respect of cultivated lands be the following multiples of the amount of land revenue payable on such lands—

(a) lands taken over from non-protected tenants, ten times in case of dry lands and five times in case of wet lands;

(b) lands taken over from protected tenant or permanent tenant, fifteen times in case of dry lands and seven times in case of wet lands;

(c) lands taken over from the kabiz-e-kadim or inamdar twenty times in case of dry lands and ten times in case of wet lands.

(2) in respect of uncultivated lands be the following multiples of the amount of land revenue which could reasonably be assessed on such lands—

(a) lands taken over from non-protected tenant, four times in case of dry lands and two times in case of wet lands;

(b) lands taken over from protected tenant or permanent tenant, six times in case of dry lands and three times in case of wet lands;—

(c) lands taken over from the kabiz-e-kadim or inamdar, eigth times in case of dry lands and four times in case of wet lands.

Payment of compensation.

15. (1) The compensation shall be due as from the date of vesting and shall carry interest at the rate of two and three-fourths per cent per annum from the date of vesting to the date of payment.

(2) The compensation payable under this Act may, in accordance with rules made in this behalf, be paid in

one or more of the following modes, namely:—

(i) in cash in full or in annual instalments not exceeding ten;

(ii) in bonds either negotiable or not negotiable carrying interest at the rate specified in sub-section (1) and of guaranteed face value maturing within a specified period not exceeding ten years.

Interim payment.

16. Where the amount of compensation is not paid within a period of six months from the date of vesting, the Government shall, subject to such restrictions and conditions as to security repayment or otherwise as may be prescribed, direct the payment of interim compensation which shall be equal to one-tenth of the estimated amount of compensation.

Collector to determine total compensation.

17. (1) The Collector shall determine in accordance with such of the foregoing provisions, the total compensation payable in respect of an inam.

(2) Any inamdar or other person interested may, within such time as may be prescribed, or such further time as the Collector may in his discretion allow, apply in writing to the Collector for a copy of the data on the basis of which he proposes to determine the total compensation.

(3) On receipt of such application, the Collector shall furnish the data aforesaid to the applicant; and shall also, before passing any order under sub-section (1), give the applicant reasonable opportunity of making his representation in regard thereto, in writing or orally.

(4) A copy of every order passed under sub-section (1) shall be communicated to every inamdar or other person interested and also to every applicant under sub-section (2).

Notice to persons interested in compensation.

18. (1) As soon as may be, after the date of vesting, the Collector shall—

(a) publish copies of the notification under sub-section (3) of section 1 in the village chavdi, where the inam lands are situate and at such other place as he may direct;

(b) cause public notice to be given at a convenient place in or near the inam requiring that claims of all persons interested in the compensation, or in any portion thereof, including the inamdar, the members of his family claiming any such portion, whether by way of a share or by way of maintenance or otherwise and creditors, whose debts are secured by the mortgage of, or as charge on, the

inam or any part thereof, other than lands and buildings which vest in the inamdar under clause (c) of sub-section (1) of section 4 or section 9 shall be made to him together with the nature and particulars of such claims in person or by agent at the time and place therein mentioned, such time not being earlier than sixty days rom the date of publication of notice. Such notice shall also be published in the official Gazette.

(2) Any claim in respect of the compensation which is not made to the Collector within the time aforesaid shall cease to be enforceable except where the Collector for sufficient cause permits a claim to be made beyond the said period.

Apportionment compensation.

19. The Collector shall, after giving notice to all persons who claim under section 18, and to any others whom he considers to be interested, make an enquiry into the validity of the claims received by him, and determine the persons, who, in his opinion, are entitled to the compensation and the amount to which each of them is entitled.

Procedure for apportionment.

20. (1) As a preliminary to such determination, the Collector shall apportion the compensation among the inamdar and any other persons whose rights or interests in the inam have passed to and vested in the Government under clause (b) of section 3 including persons who are entitled to be maintained from the inam and its income, as far as possible, in accordance with the value of their respective interests in the inam.

(2) The value of the interest shall be ascertained in such manner as may be prescribed.

Claims of creditors.

21. (1) After the compensation has been apportioned among the persons referred to in section 20 or where it is more convenient to do so, pending the apportionment, the Collector shall take into consideration the applications of the secured creditors referred to in section 17 and decide the amount to which each such creditor is entitled and the person or persons out of whose share or shares of the compensation such amount should be paid.

(2) The amount of compensation payable by the Government to secured creditors on account of holding any mortgage or charge, notwithstanding anything contained in any law for the time being in force, shall not exceed the amount of compensation payable in respect of the inam or portion thereof.

Devolution of interest in compensation.

22. Where it is alleged that the interest of any persons entitled to receive payment of any portion of the compensation has devolved on any other person or persons, whether by act of parties or by operation of law, the Collector shall determine whether there has been any devolution of the interest and, if so, on whom.

CHAPTER IV.

Appeal, reference and revision

Constitution of Special Tribunals and their powers.

23. (1) The Government shall constitute as many Special Tribunals as may be necessary for the purposes of this Act.

(2) Each Special Tribunal shall consist of an officer of a rank not less than that of a District Judge.

(3) Each Special Tribunal shall hold its sittings at such times and places, and shall have such jurisdiction, and over such local areas as the Government may, by notification from time to time, determine.

(4) No order of the Government constituting a Special Tribunal under this section shall be called in question in any manner whatsoever.

(5) The Special Tribunal shall have the same power regarding summoning and attendance of witnesses and compelling the production of documents as a Civil Court under the Code of Civil Procedure, 1908.

Appeals from orders under section 10 to prescribed authority.

24. (1) Any person aggrieved by a decision of the Collector under section 10 may, within thirty days from the date of decision, or such further time as the prescribed authority may for sufficient cause allow, appeal to the prescribed authority and its decision shall be final.

(2) If any question arises whether any building or land falls within the scope of section 9 the same shall be referred to the prescribed authority whose decision shall be final.

References to the Special Tribunal.

25. The Collector may, for reasons to be recorded in writing either **suo moto,** or on the application of any person interested in the compensation, refer any case relating to the apportionment of compensation to the decision of the Special Tribunal.

Appeals to the Special Tribunals.

26. Any persons aggrieved by any decision of the Collector under sections 19, 20, 21, or 22 within thirty days from the date of decision, or such further time as the Spe-

cial Tribunal may for sufficient cause allow, appeal to the Special Tribunal.

Appeal to the High Court.

27. (1) Any person aggrieved by any order of the Collector made under sub-section (1) of section 18 or by any decision of the Special Tribunal under section 25 and 26 may, within three months from the date of the order or decision of such further time as High Court may for sufficient cause allow, appeal to the High Court; and the High Court shall pass such order on the appeal as it thinks fit;

Provided that the total compensation payable in respect of any inam shall not be reduced by the High Court without giving every inamdar concerned and every person, who has made an application under sub-section (2) of section 17 a reasonable opportunity of being heard.

Revision.

28. Notwithstanding anything contained in this Act or any other law for the time being in force, an application for revision shall lie to the High Court from any order passed or proceedings taken by the Collector (except those referred to in section 24) or by the Special Tribunal under this Act on the following grounds that the original or appellate authority:—

(a) exercise a jurisdiction not vested in it by law;

(b) failed to exercise a jurisdiction so vested; or

(c) acted illegally or with material irregularity in following the procedure or passing the order.

Savings.

29. Save as otherwise provided in this Act, no order passed by the Collector or by the Special Tribunal under this Act shall be liable to be cancelled or modified except by the High Court as aforesaid or be questioned in any Court of law.

CHAPTER V.

Miscellaneous

Enquiries by the Collector.

30. (1) The Collector may, by general or special order authorise any officer not below the rank of a Tahsildar subordinate to him to hold enquiries on his behalf under this Act.

(2) In respect of every enquiry under this Act by the Collector or any officer authorised under sub-section (1), the provisions of the Land Revenue Act, 1317 Fasli, relating to formal enquiry shall apply as if such enquiry is a formal enquiry under the said Act.

Fee payable on applications, petitions.

31. Notwithstanding anything contained in the Hyderabad Court Fees Act, 1324 Fasli, or any other law for the time being in force, the fees payable on any application, memorandum of appeal or petition under this Act or rules made thereunder shall be such as may be prescribed.

Indemnity.

32. No suit or other proceeding shall lie against the Government or any person or in respect of anything which is in good faith done or intended to be done under this Act.

Savings.

33. Nothing in this Act shall in anyway be deemed to affect the application of the provisions of the Hyderabad Tenancy and Agricultural Lands Act, 1950, to any inam or the mutual rights and obligations of an inamdar and his tenants, save in so far as the said provisions are in anyway inconsistent with the express provisions of this Act.

Repeal.

34. With effect on and from the date of vesting the Hyderabad Enfranchised Inams Act, 1952, shall be deemed to have been repealed.

Power to make rules.

35. (1) The Government may, subject to the conditions of previous publication, make rules to carry out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for—

(a) all matters expressly required or allowed by this Act to be prescribed;

(b) the procedure to be followed by the Collector Special Tribunals authorities and officers appointed, or having jurisdiction under this Act ;

(c) the time within which applications and appeals may be presented under this Act, in cases for which no specific provision in that behalf is made herein;

(d) the application of the provision of the Code of Civil Procedure, 1908, and the Indian Limitation Act, 1908, to applications, appeals and proceedings under this Act.

(3) All rules made under this section shall be published in the official Gazette and on such publication shall have effect as if enacted in this Act.

Penalties.

36. (1) Any person who wilfully fails or neglects to comply with any lawful order passed under this Act or contravenes any such order or offers resistance or obstruc-

tion to the taking by the Collector of charge or possession of any property which has vested in the State under this Act or furnishes information which he knows or has reason to believe to be false or does not believe to be true, shall, on conviction by a Magistrate, be punishable with imprisonment which may extend to three months or with fine which may extend to two hundred rupees or with both.

(2) No prosecution under sub-section (1) shall be instituted except with the previous sanction of the Collector of the District.

Power to remove difficulties.

37. If any difficulty arises in giving effect to the provisions of this Act, the Government may, as occasion may require, do anything which appears to them necessary for the purpose of removing the difficulty.

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